

A F F I D A V I T

STATE OF WEST VIRGINIA

COUNTY OF CABELL, to-wit:

I, Sgt. Steve Maniskas, being first duly sworn, do hereby depose and state as follows:

1. I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7). Specifically, I am an officer with the Huntington Police Department in Huntington, Cabell County, West Virginia. I have been employed with the Huntington Police Department since April 2010. From December 2013-December 2018 I was assigned to the Huntington FBI Drug Task Force. I am currently the supervisor for the Huntington Police Department Detective Bureau's Person's Crimes Unit.

2. I have worked with federal, state, and local law enforcement officers in the Southern District of West Virginia, and elsewhere. Based on my experience and the experience of others, I am familiar with matters including, but not limited to, the appearance, packaging, paraphernalia, and distribution of marijuana, heroin, methamphetamine, cocaine, and other street drugs. I am also familiar with tactics used by illegal possessors of firearms to possess, maintain, acquire, and distribute their firearms.

Probable Cause

3. On December 30, 2021, officers from the Huntington Police Department observed a vehicle at the Speedway gas station at 2498 3rd Avenue in Huntington, West Virginia, which is in Cabell County, within the Southern District of West Virginia.

4. Officers observed the driver and the passenger of the vehicle smoking marijuana. An officer asked the passenger to exit the vehicle. The passenger was identified as Jonathan Sturkey (hereinafter "Sturkey").

5. Sturkey informed the officer he had a firearm on his person. Officers knew Sturkey to be a convicted felon.

6. An officer retrieved a Smith and Wesson .38 revolver from Sturkey's left coat pocket.

7. During the course of the investigation it was determined that Sturkey was a convicted felon and prohibited from possessing any firearms. On or about May 23, 2011, in the United States District Court for the Southern District of West Virginia, he was convicted of the felony offense of Distribution of a Quantity of Cocaine Base.

8. After Sturkey was in custody, he was read his Miranda rights and then interviewed. During the interview, Sturkey admitted he owned the firearm and that he owns more guns. He also admitted that he had possessed the firearm for three years.

Sturkey also admitted he knew he was a convicted felon and that he could not possess firearms.

9. The ATF reviewed the identifying information from the above-mentioned firearm and advised that it was not manufactured in the State of West Virginia and thus, the firearm has traveled in Interstate Commerce.

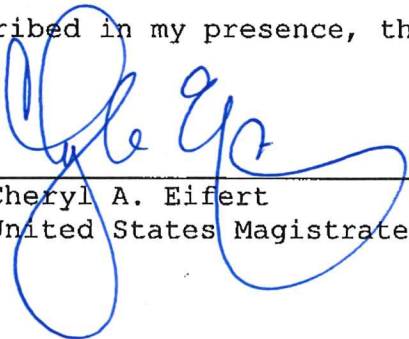
10. This affidavit is intended to show that there is probable cause for the requested arrest warrant and does not purport to set forth all of my knowledge of the investigation into this matter.

11. Based on my knowledge, training, and experience, I respectfully submit that the aforementioned information set forth in this Affidavit constitutes probable cause to believe that on or about December 30, 2021, Sturkey committed a violation of 18 U.S.C. 922(g)(1) and 924(a)(2)- Felon in Possession of a Firearm. Based on the information set forth in this affidavit, your affiant hereby respectfully requests that an arrest warrant for Gardner be issued.

Further, your affiant sayeth naught.


Sgt. Steve Maniskas
Huntington Police Department

Sworn to before me, and subscribed in my presence, this 10th day of January 2022.


Cheryl A. Eifert
United States Magistrate Judge